

Public Chapter 333

SENATE BILL NO. 1810

By Womack

Substituted for: House Bill No. 1777

By Davidson

AN ACT To amend Tennessee Code Annotated, Section 49-7-2018(d), relative to institutions exempt from payment into the Tuition Guaranty Fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-2018(d)(1), is amended by deleting the language and punctuation in the first sentence through the colon and substituting instead the following:

(d)(1) There is hereby imposed on each nondegree-granting postsecondary vocational educational institution authorized under this part, and on each private degree-granting postsecondary educational institution, unless exempt under §49-7-2004, a tuition guaranty fund fee according to the following schedule:

SECTION 2. It is the legislative intent of this bill to ensure that the status quo is maintained relative to the institutions subject to being assessed and paying into the Tuition Guaranty Fund. Specifically, that no institution that was exempt from paying into the fund prior to the issuance of Attorney General Opinion 97-024, issued on March 17, 1997, shall be required to pay into the fund by virtue of the passage of this act, nor shall any institution required to pay into the fund prior to that date be exempt from making payment into the fund by virtue of the passage of this act.

SECTION 3. The Tennessee Higher Education Commission shall, in consultation with other interested parties, review the extent that it regulates postsecondary educational institutions in the state under the authority of the Postsecondary Education Authorization Act of 1974, as amended. The purpose of this review is to determine whether its scope of authority to regulate these institutions, and therefore the application of the Tuition Guaranty Fund, should be extended, restricted or otherwise modified. Additionally, the Commission will review how to define the difference between professional, vocational and trade institutions offering postsecondary education in order to provide a clearer distinction as to which institutions are exempt from the Tuition Guaranty Fund. The Commission shall report its findings and recommendations to the Select Oversight Committee on Education no later than December 31, 1997.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.